

# CITY OF ANGELS CITY COUNCIL MINUTES

**Tuesday, February 16, 2010**

Council Members Present: Jack Lynch (Mayor), Jack Boeding, (Vice Mayor), Elaine Morris, Craig Turco and Rick Downey

Staff Present: Richard Matranga, Gary Ghio, Dale Mendenhall, Melisa Ralston, David Hanham and Mary Kelly

**6:30 P.M.      CALL TO ORDER (Bret Harte High School Theater)**

## **KINDNESS HERO ESSAYS**

Presented by Mark Twain Elementary School students. Kindness Essay Winners and their Heroes:

Aidan Williams by Jacob Williams  
Marsha Bradshaw by Austin Brazil  
Mercy Murphy by Mauricio Torres  
Gladys Hargous by Melissa Howard  
Jared Poortinga by Steven Poortinga  
Aldie Broglio by Autsin Anderson  
Tom & Nancy Houle By Kayla Luster  
Kylie Nordvick by Landie McClure

Baylee Elizabeth Barnes by Chloe Barnes  
Rita Crawford by Trystan Logoteta  
Lorenz Estacio by Anthony Fleming  
Carla Roller by Morgan Roller  
Officer Jim McKeon by Adelaide Ellsworth  
Lloyd Longeway by Alexis Longeway  
Treysen Caywood by Eden Strauch  
Fred Moore by Jessica Moore

## **RECESS**

## **RECONVENE**

## **APPROVAL OF AGENDA**

Council Member Turco pulled item 'b' from the consent agenda for discussion.

## **STAFF UPDATES**

**Dave Hanham** – Planning Director

- Received the certified housing element from the State.
- The Angels Camp Master Plan and Trail project is beginning. Dave asked for a City Council Member to be involved with the TAC committee on the project. Council Member Turco volunteered.
- Ordinance being draft on large format retail stores.

**Dale Mendenhall** – Police Chief

- Reviewed his report provided in packet  
**Direction: Chief to make a presentation of the Police Department Annual Report at the 3/2 Council meeting.**

## **COUNCIL UPDATES**

**Council Member Morris**

- Attended CCOG: adoption of the OWP continued to March meeting.
- Attended LLD: there will be a review of the roads by LLD engineer. Also discussed the streetlight policy.
- Attended Traffic Circulation committee where parking and loading standards were reviewed.

### **Council Member Turco**

- Will be attending a regional partnership meeting with water agencies on Thursday.

**Direction: Melisa to schedule a preliminary budget workshop to be attended by Council and staff.**

### **Council Member Downey**

- Attended CCOG and ACBA.

### **PUBLIC COMMENT**

**Steve Difu** – 576 Sasa

Asked if it was legal for staff to contact the City Administrator (or vice-versa) for advice regarding the City while he is on leave of absence. The City Attorney pointed out that the City Administrator said that he could be contacted by both Council and staff if needed while he was gone.

### **CONSENT AGENDA**

**MOTION** by Council Member Turco, seconded by Council Member Downey and carried 5-0 ADOPTING THE CONSENT AGENDA:

- a. Minutes of Regular meeting – February 2, 2010

Consent Agenda, item ‘b’: Council Member Turco voiced concerns over the purchase order policy and asked that a memo go to staff outlining the procedures.

**Direction: Memo to be sent to staff outlining purchasing procedures. Staff to sign and return to Administration.**

**MOTION** by Council Member Turco, seconded by Council Member Downey and carried 5-0 APPROVING THE CASH DISBURSEMENTS REPORT.

### **REGULAR AGENDA**

#### **1. BUSINESS RECRUITMENT PLAN FUNDING (recommendation from Personnel/Finance) –**

Council Member Turco

Council Member Turco explained that an RFP has been issued for the Business Recruitment Plan with a dollar amount of \$25,000. There is approximately \$15,000 available in CDBG funds available for this project. An additional \$10,000 from the General Fund is needed to fund the entire project. The \$10,000 is not in the current budget. CDBG Consultant, Terry Cox, reported that the project funding can be reduced to \$15,000, but the project must include all the topics, although with less depth, as the original scope of work

**Steve Difu** – 576 Sasa

Asked who decided to put this RFP out if the Council had not made any decision regarding the additional funding.

**Anne Forrest** – BLT Committee

Explained that \$25,000 was allocated from the 2008/09 budget for a small city I.D. study. These funds were not used and her understanding was a portion of this would be used for the Business Recruitment Plan.

**MOTION** by Council Member Turco, seconded by Council Member Morris and carried 4-1 with Council Member Boeding voting ‘NO’ DIRECTING THE SCOPE OF WORK ON THE BUSINESS RECRUITMENT PLAN BE REVISED FOR THE AMOUNT OF FUNDING AVAILABLE - \$15,000.

2. **WATER VIOLATION – CITATION FROM DEPARTMENT OF PUBLIC HEALTH** – Gary Ghio, City Engineer

The City Engineer reported that he and Garrett Walker met with Joe Spano with the Department of Public Health and reviewed the 07/08 incorrect readings from the lower flow meters. Mr. Spano agreed to rescind the citation if certain conditions were met, including a letter from the City verifying the issues with the faulty flow meter and that the upper flow meter is accurate. Mayor Lynch provided a PowerPoint of the water comparisons.

**Steve Difu** – 576 Sasa

Reported the lack of professionalism and respect from staff shown to Council.

**Abe Perry** – 329 Stockton Road

Thanked Mayor Lynch and Council Member Downey for their efforts.

**John Teichnor** – 1311 Main Street

Stated that he supports Council Member Morris' position that water is a short commodity even in surplus years. Supports the idea of securing water supplies.

Mayor Lynch spoke on the lack of reliable information Council received from staff. Council Member Turco asked the City Engineer why the discrepancies were not disclosed previously. The City Engineer stated that he was only recently directed to look at the previous numbers. Council Member Boeding said it seemed there was a no confidence vote in City staff.

**Steve Difu** – 576 Sasa

Asked Council Member Boeding if he had any confidence in Carol Woolf's performance. He stated that the Council should be skeptical of staff because of this performance.

**Garrett Walker** – Water/wastewater operator

Said that he understands Council's frustration, but any errors were not done maliciously. Staff has a desire to do the right thing and staff found the problem. He said it is unfair to have no trust in staff.

Council Member Turco stated that this is not about any individual person, but the entire chain of command. He stated that in fairness there are some qualified persons performing their jobs.

**MOTION** by Mayor Lynch, seconded by Council Member Downey and carried 4-1 with Council Member Boeding voting 'NO' DIRECTING STAFF TO CONDUCT AN OUTSIDE AUDIT OF THE CITY'S OPERATIONAL PRACTICES AND ENGINEERING ANALYSIS OF THE WATER AND WASTEWATER FACILITIES

Roll call: Morris {Yes}, Boeding {No}, Turco {Yes}, Downey {Yes} and Lynch {Yes}

3. **PUBLIC HEARING: ADOPT ORDINANCE #442 AMENDING CHAPTER 15.04 OF THE ANGELS CAMP MUNICIPAL CODE**– Steve Flaigg, Building Inspector

9:00 p.m. Opened Public Hearing

**Bill Soest** – 320 Mills Court

Spoke in favor of the ordinance.

**Steve Fairchild** – Angels Camp citizen

Spoke on reducing energy costs and the insignificant savings.

9:05 p.m. Closed Public Hearing

**MOTION** by Council Member Turco, seconded by Council Member Boeding and carried 4-1 with Council Member Downey voting 'NO' APPROVING THE ADOPTION OF ORDINANCE #442. AN ORDINANCE AMENDING CHAPTER 15.04 (UNIFORM CODES – BUILDING PERMITS) SECTION 15.04.020E (ADOPTION) OF THE ANGELS CAMP MUNICIPAL CODE INTRODUCED JANUARY 19, 2010

4. **APPROVE APPLICATIONS FOR STATEWIDE PARK GRANT PROGRAM** – Steve Flaigg, Building Inspector  
MOTION by Council Member Boeding, seconded by Council Member Downey and carried 4-1 with Mayor Lynch voting ‘NO’ ADOPTING RESOLUTION NO. 10-03. A RESOLUTION APPROVING AN APPLICATION FOR STATEWIDE PARK PROGRAM GRANT FUNDS FOR THE UTICA PARK PROJECT.
- MOTION by Council Downey, seconded by Council Member Boeding and carried 4-1 with Mayor Lynch voting ‘NO’ ADOPTING RESOLUTION NO. 10-04. A RESOLUTION APPROVING AN APPLICATION FOR STATEWIDE PARK PROGRAM GRANT FUNDS FOR THE TRYON PARK PROJECT.
- MOTION by Council Member Morris, seconded by Council Member Turco and carried 4-1 with Mayor Lynch voting ‘NO’ ADOPTING RESOLUTION NO. 10-05. A RESOLUTION APPROVING AN APPLICATION FOR STATEWIDE PARK PROGRAM GRANT FUNDS FOR THE ALTAVILLE SCHOOLHOUSE LANDSCAPING PROJECT.
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5. **ADOPT RESOLUTION APPROVING HIGHWAY 4 RELINQUISHMENT AGREEMENT AMENDMENT** – Dave Hanham, Planning Director  
MOTION by Council Member Morris, seconded by Council Member Boeding and carried 5-0, ADOPTING RESOLUTION NO. 10-06. A RESOLUTION APPROVING AN AMENDMENT TO THE COOPERATIVE AGREEMENT BETWEEN THE CITY OF ANGELS AND THE STATE OF CALIFORNIA WITH A MODIFICATION TO INCLUDE AN EXHIBIT OUTLINING THE ORIGINAL LANGUAGE SHOWN ON THE RELINQUISHMENT AGREEMENT AND THE AMENDED LANGUAGE
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6. **COUNCIL OF GOVERNMENTS’ LETTER OF SUPPORT FOR APPLICATION FOR BLUEPRINT FUNDING** – Dave Hanham, Planning Director  
It was recommended this item be continued to the March 2<sup>nd</sup> meeting to determine if the County had agreed to support letter.  
**Direction:** Council representatives on the CCOG Council to recommend this item be placed on CCOG agenda for approval.  
**Direction:** Continue item to March 2, 2010 Council meeting
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7. **FISCAL YEAR 2010-2011 MEMORANDUM OF UNDERSTANDING NEGOTIATOR (referred by P/F Committee)** – Council Member Turco  
MOTION by Council Member Boeding, seconded by Council Member Turco and carried 5-0 ACCEPTING STAFF’S RECOMMENDATION TO REPRESENT SELVES AT MOU NEGOTIATIONS
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8. **SUSPENSION OF SCHEDULED WASTEWATER RATE INCREASE (continued from 2/2/10 CC meeting)** – Richard Matranga, City Attorney  
MOTION by Council Member Boeding, seconded by Council Member Lynch and carried 5-0 RESCINDING THAT PORTION OF RESOLUTION NO. 06-23 THAT PROVIDES AUTOMATIC INCREASE OF WASTEWATER RATE  
**Direction:** Continue item to March 2, 2010 Council meeting

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**MEETING ADJOURNED AT 9:50 P.M.**

ATTEST:

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Jack Lynch  
Mayor

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Mary Kelly  
City Clerk